

**Operating Procedure for Norfolk Division of the Probate and Family Court
Under Standing Order 1 – 21, effective July 12, 2021**

A. General information:

Effective July 12, 2021, the Probate and Family Court will be open to conduct all emergency and non-emergency court business in person, except for the matters identified in Paragraph C below and any matter that a judge determines shall be held virtually.

The ability to conduct in-person hearings depends upon successful compliance with all safety protocols established by the Trial Court, including, but not limited to, Trial Court occupancy limits.

Parties may file pleadings by US mail, in person, or by e-filing where available. Email filings will be accepted when done so by a Court Service Center staff member or by an attorney volunteering through a Lawyer for the Day program on behalf of a self-represented litigant or if specifically authorized by the Supreme Judicial Court or the Executive Office of the Trial Court. Other email filings may be allowed at the discretion of each Register of Probate. Drop boxes may be available to file pleadings in some court locations.

Filings will be accepted by e-filing, USPS mail, or in person. Filings will not be accepted by email, unless specifically requested by a Judge, clerk or the Virtual Registry, or permitted by the standing order, as noted above.

Questions related to email filings can be directed to:

Erin Cuddy, 781-830-1216 or Erin.Cuddy@jud.state.ma.us;

Charles Bogan, 781-830-1290 or Charles.Bogan@jud.state.ma.us;

Michael Barbadoro, 781-830-1218 or Michael.Barbadoro@jud.state.ma.us;

Colleen Brierley, 781-830-1271 or Colleen.Brierley@jud.state.ma.us

The Norfolk Probate and Family Court will not be using a drop box for filing pleadings.

Electronic signatures will continue to be used, consistent with the current order of the Supreme Judicial Court, unless and until otherwise amended by subsequent orders or rules.

Virtual registries may continue to be used. Virtual registries offer all of the assistance normally available during an in-person visit, including face-to-face contact, the ability to obtain and get assistance with court forms, and access to court documents and docket information. [Information about virtual registries can be found here.](#)

Days of week and hours of operation for virtual registry: Monday – Friday, 8:30am to 1:00pm.

The link to the virtual registry is: <https://www.zoomgov.com/j/1617846497>

Questions related to the virtual registry can be directed to:

Erin Cuddy - 781-830-1216 - Erin.Cuddy@jud.state.ma.us

Charles Bogan – 781-830-1290 – Charles.Bogan@jud.state.ma.us
Michael Barbadoro – 781-830-1218 – Michael.Barbadoro@jud.state.ma.us
Colleen Brierley – 781-830-1271 – Colleen.Brierley@jud.state.ma.us

B. In-Person Proceedings:

As of July 12, 2021, the Probate and Family Court will expand the scheduling of in-person hearings for all matters, except for the matters identified in Paragraph C below and any matter that a judge determines shall be held virtually. In-person hearings will be scheduled for the next available date and will be conducted on a staggered schedule.

Staggered scheduling for Norfolk Probate and Family Court will be updated as available.

Questions related to staggered scheduling can be directed to the Virtual Registry or the AJCMs/Sessions Clerks and Judicial Assistants for each Judge as set out below.

If notice has already gone out and a matter is scheduled for a virtual hearing on or after July 12, 2021, the matter will still be held virtually unless the assigned judge determines the matter should be heard in person and the parties are notified of such change.

Where an in-person hearing is scheduled, a party may request that the hearing be conducted virtually, and the judge will rule on the request.

A Motion along with an Affidavit as to why the request is being made should be made as far in advance as possible. Except in a case of emergency, all requests to have a case heard virtually must be submitted at least 7 days prior to the scheduled hearing date. The motion must include either the written assent of the other side or certificate of service indicating that the other side has been notified of the request. If a party objects to the request for a virtual hearing, they must notify the court of their objection in writing within 48 hours of their receipt of the copy of the request. The request for a virtual hearing will be handled administratively and counsel and self-represented parties will be notified.

Questions related to these requests can be directed to the Virtual Registry or the Assistant Judicial Case Manager for the assigned judge.

Alternatively, a judge, upon request, may authorize a participant (an attorney, party, or witness) to appear virtually while other participants appear in person, so long as it is consistent with due process and fundamental fairness. A participant who requests to appear virtually for an otherwise in-person proceeding shall have no grounds to object to other participants appearing in person.

At present, Norfolk Probate and Family Court does not have the capability to permit appearances by videoconference (when the other party is appearing in-person). An individual may, by motion sufficiently in advance of a hearing, request to appear or testify by telephone.

C. Virtual Proceedings:

The following matters shall be held virtually and on a staggered schedule:

1. Uncontested adoptions, unless the assigned judge determines that the matter should be heard in person;
2. Uncontested divorces;
3. Rogers reviews;
4. Best efforts § 29B annual reviews – DCF custody;
5. Any action involving child support only, except for contempt actions;
6. Case Management/Status conferences; and
7. Discovery motions.

Changes to staggered scheduling for virtual matters in Norfolk Probate and Family Court will be updated as available.

Questions related to staggered scheduling can be directed to the Virtual Registry or AJCM for the particular Judge

Matters that are generally handled administratively (e.g., marriage without delay; joint modification); uncontested/assented to motions (e.g., appointment of GAL; continue date of hearing; file marriage certificate late); and uncontested/routine allowables in probate actions (e.g., informal petition; transfer of guardianship or conservatorship from another state; accounts; appointment of GAL; license to sell; alternative service; waiver of sureties; motion to file death certificate late) will continue to be handled administratively. If such a matter is not handled administratively, a virtual hearing will be scheduled.

In the absence of exceptional circumstances, as determined by the judge conducting the hearing, no party or attorney for a party may be physically present in the courtroom for a scheduled virtual hearing.

However, in cases with one or more self-represented litigants, judges shall consider the possibility that self-represented litigants may have limited access to the technology needed or limited experience with such technology and either assist the self-represented litigant or offer the option to appear in person.

A judge may also consider matters through an administrative review process and determine motions in accordance with Rule 78.

Specific matters that will be considered administratively, if uncontested - Joint Modifications, Agreements for Judgment on Modifications and Contempt actions, Change of Name, Rogers reviews, accounts, Estates.

Questions related to administrative allowances can be directed to the Assistant Judicial Case Manager for the assigned judge.

D. Protocol in the event of a court closure by the Trial Court:

If the courthouse is closed contact court staff via email.

Questions related to court closures can be directed to:

Charles Bogan – 781-830-1290 – Charles.Bogan@jud.state.ma.us

Michael Barbadoro – 781-830-1218 – Michael.Barbadoro@jud.state.ma.us

Colleen Brierley – 781-830-1271 – Colleen.Brierley@jud.state.ma.us

E. Contact Information:

Emergency Phone number	781-830-1278	
Emergency email address	Michael.barbadoro@jud.state.ma.us	
Registry phone number	781-830-1278	
Probation contact	Danielle Gilpatrick	Danielle.gilpatrick@jud.state.ma.us – 781-830-4352
Judicial Case Manager	Kim LaDue	Kim.ladue@jud.state.ma.us 781-830-1229
Assistant Judicial Case Manager	Goro Matsuo	Goro.matsuo@jud.state.ma.us – Judge Gorman
Assistant Judicial Case Manager	Clare Gamberoni	Clare.gamberoni@jud.state.ma.us – Judge Burchill
Assistant Judicial Case Manager	Jennifer Maggiacomo	Jennifer.maggiacomo@jud.state.ma.us – Judge Moses
Assistant Judicial Case Manager	Kathryn Hannon	Kathryn.hannon@jud.state.ma.us – Judge Peterson
Sessions Clerk	Sonia Hubbard	Sonia.hubbard@jud.state.ma.us – Judge Gorman
Sessions Clerk	Pauline Alexopoulos	Pauline.alexopoulos@jud.state.ma.us – Judge Burchill
Sessions Clerk	Nancy Gargiulo	Nancy.gargiulo@jud.state.ma.us – Judge Peterson
Sessions Clerk	Barbara Francois	Barbara.francois@jud.state.ma.us – 781-830-4301- Judge Moriarty - FLS
Judicial Assistant	Dianne Rowland	Dianne.rowland@jud.state.ma.us (781)-830-1244- Judge Gorman
Judicial Assistant	Olivia George	Olivia.george@jud.state.ma.us (781) 830-1374 - Judge Burchill
Judicial Assistant	Tracy Morin	Tracy.morin@jud.state.ma.us (781) 830-1281 – Judge Peterson and Judge Moses

F. Additional Information:

All filings must have a valid address, phone number and email for counsel and/or parties

All instructions on Scheduling Notices, Pretrial Notices and Trial Notices must be complied with or your matter may be dismissed or your hearing may be rescheduled. Emailing of memos, financials, motions, etc. will not be accepted at the time of hearing, unless specifically allowed by the presiding Judge.

Appointments must be made with the Probation Department for specific times to review DCF records and Probation Reports.

Norfolk Probate and Family Court operates a Lawyer of the Day Program through the Virtual Registry. The hours of operation are currently 8:30 a.m. to 1:00 p.m. in conjunction with the registry's current zoom operating hours. The program may be accessed through the virtual registry at:

<https://www.zoomgov.com/j/1617846497>

Call in number: 1 (646) 828-7666

Meeting ID: 1617846497